

REMARKS/ARGUMENTS

Reconsideration is respectfully requested of the Official Action of September 27, 2004, relating to the above-identified application.

The requirement for restriction between Claims 1-16 and Claims 17-36 is traversed and reconsideration is respectfully requested.

Attention is invited to the fact that the patent statute, 35 U.S.C. § 121 provides that if two or more independent and distinct inventions are claimed in one application, restriction may be proper.

In the Official Action of September 27, 2004, it is alleged that the inventions are distinct. No mention is made as to whether the inventions are considered to be "independent".

In fact, the claims in the present application are not independent from each other and are closely and specifically interrelated so that examination in a single application is deemed proper.

In the Official Action, the reason given for requiring restriction is as follows: "In this case, process as claimed can be practiced by another materially different apparatus or by hand, such as a fluidized bed reactor containing a heat exchanger."

Applicants disagree and note that the process requires the introduction of the reactants into the slot shaped reaction spaces from edge regions situated on the same side of the block and conducting the reactants through the reaction spaces as a reaction mixture in the same direction in parallel flows and then conducting the fluid heat exchange medium through the tubular cavities extending in the interior of the wall elements to obtain the intended result. Hence, it is clear that each of the process steps is dependent upon the structure of the apparatus and, contrary to the Official Action, cannot be practiced by hand or in a fluidized bed. Applicants respectfully

submit that, notwithstanding the difference in classification, it has not been established that the inventions are independent and distinct as required by 35 U.S.C. § 121.

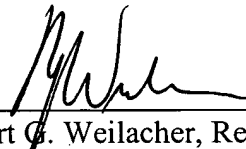
While applicants have traversed the requirement for restriction, a provisional election is made with respect to Claims 17-36, identified in the Official Action as Group II.

Applicants specifically request rejoinder of the process claims in the event the apparatus claims are allowed. Several minor editorial amendments have been made to conform the process claims with the apparatus claims so as to facilitate rejoinder.

Examination on the merits is awaited.

Respectfully submitted,

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